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FORM**

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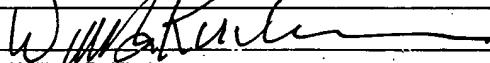
AUG 22 2005  
PARENT & TRADEMARKS

Application Number	10/761,669
Filing Date	January 21, 2004
First Named Inventor	Byron J. Masterson, M.D.
Art Unit	2873
Examiner Name	Jessica T. Stultz

Total Number of Pages in This Submission **3**Attorney Docket Number **55601.111638****ENCLOSURES (check all that apply)**

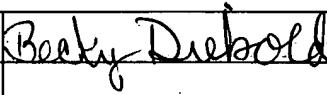
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|--|--|--|
| <input type="checkbox"/> Fee Transmittal Form                                | <input type="checkbox"/> Drawing(s)  | <input type="checkbox"/> After Allowance Communication TC  |
| <input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Licensing-related Papers  | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences                    |
| <input checked="" type="checkbox"/> Amendment / Reply                        | <input type="checkbox"/> Petition  | <input type="checkbox"/> Appeal Communication to TC<br><i>(Appeal Notice, Brief, Reply Brief)</i>      |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition to Convert to a Provisional Application  | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declaration(s)                           | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  | <input type="checkbox"/> Status Letter   |
| <input type="checkbox"/> Extension of Time Request                           | <input type="checkbox"/> Terminal Disclaimer   | <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below); return postcard</i> |
| <input type="checkbox"/> Express Abandonment Request                         | <input type="checkbox"/> Request for Refund  |  |
| <input type="checkbox"/> Information Disclosure Statement                    | <input type="checkbox"/> CD, Number of CD(s) _____   |  |
| <input type="checkbox"/> Certified Copy of Priority Document(s)              | <input type="checkbox"/> Landscape Table on CD   |  |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application   | Remarks: Commissioner is authorized to charge any additional fee that may be due, or credit any overpayment in connection with this patent application to Deposit Account No. 11-0160. |  |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 |  |  |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

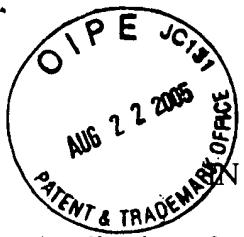
Firm Name	Blackwell Sanders Peper Martin, LLP		
Signature			
Printed Name	William B. Kircher		
Date	8/17/2005	Reg. No.	22,481

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature			
Typed or printed name	Becky Diebold	Date	8/17/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Byron J. Masterson : Attorney Docket No.: 55601.111638  
Serial No.: 10/761,669 : Examiner: Jessica T. Stultz  
Filed: January 21, 2004 : Group Art Unit: 2873  
For: EYEWEAR HAVING A : Customer No.: 027526  
MAGNIFIED FIELD OF VIEW : Confirmation No. 3397  
Last Office Action: August 1, 2005 :

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service, First Class Mail, in an envelope addressed to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:	
8/17/05	Signature
Date	Becky Dubold

AMENDMENT

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Non-Compliant Amendment mailed August 1, 2005, it is respectfully brought to the Examiner's attention that Figures 1 and 2 included as an attachment to the subject Amendment are merely part of the Response to the United States Patent and Trademark Office Action. These figures are used to discuss the prior art and are not meant to be "replacement" drawings. Please note on page 6 of the Amendment, lines 10 through 12, "Figures 1 and 2 attached hereto show examples of the Menezes, et al. viewing geometry and an example of a viewing geometry of the present invention respectively illustrating the difference between forward viewing and peripheral viewing." (emphasis added).

Applicant respectfully requests the Examiner to allow this application to be placed in condition for allowance based on the foregoing. However, if the Examiner should have any questions or wishes to discuss this with Applicant's attorney, the Examiner is respectfully requested to call the telephone number listed below.

Respectfully submitted,

Date: 8/17/2005



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